

HEARING DATE: 11/16/21 AT 10:00 A.M.
OBJECTION DEADLINE: 11/09/21 AT 4:00 P.M.

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But Solely in His Capacity as Chapter 7 Interim Trustee*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In the Matter	:	Chapter 7
	:	Case No. 21-10699 (DSJ)
-of-	:	
	:	
KOSSOFF PLLC,	:	
	:	
	:	
Debtor.	:	
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**NOTICE OF HEARING OF CHAPTER 7 INTERIM TRUSTEE'S
APPLICATION FOR ORDER HOLDING MITCHELL H. KOSSOFF IN
CIVIL CONTEMPT FOR FAILURE TO COMPLY WITH ORDER TO COMPEL**

PLEASE TAKE NOTICE that a hearing (the "Hearing") will be held before the Honorable David S. Jones, United States Bankruptcy Judge, on **November 16, 2021 at 10:00 a.m. (Prevailing Eastern Time)** in Courtroom 501 of the United States Bankruptcy Court for the Southern District of New York (the "Court"), One Bowling Green, New York, New York 10004-1408, or as soon thereafter as counsel can be heard, to consider the *Chapter 7 Interim Trustee's Application for Order Holding Mitchell H. Kossoff in Civil Contempt for Failure to Comply with Order to Compel* (the "Motion").

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion must be made in writing, stating in detail the reasons therefore, and must be filed with the Clerk of the Court, with paper copies delivered to Judge Jones' chambers, and

served upon: (i) Togut, Segal & Segal LLP, counsel for the Trustee, One Penn Plaza, Suite 3335, New York, New York 10119, Attn.: Neil Berger, Esq. (neilberger@teamtogut.com) and Minta J. Nester, Esq. (mnester@teamtogut.com); (ii) Doar Rieck Kaley & Mack, counsel to Mitchell H. Kossoff, 1217 Broadway, Suite 707, New York, New York 10007, Attn.: Walter Mack, Esq. (wmack@doarlaw.com); (iii) the Office of the United States Trustee, Region 2, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014, Attn.: Andy D. Velez-Rivera, Esq. (Andy.Velez-Rivera@usdoj.gov); and (vi) any parties required to be served under any applicable Bankruptcy Rule or Local Rule, so that they are actually received by the aforementioned parties not later than **November 9, 2021 at 4:00 p.m. (Prevailing Eastern Time)** (the “Objection Deadline”). Objections not timely served and filed may not be considered by the Court.

PLEASE TAKE FURTHER NOTICE that the hearing shall take place virtually using both audio and videoconferencing solutions as set forth herein. The Court shall utilize Zoom for Government (for audio and video purposes). The Zoom link shall be provided by the Court to the list of persons that make an electronic appearance as Zoom participants in accordance with the instructions below, and to other attorneys, parties in interest, or members of the public who make an electronic appearance in accordance with the instructions below. All counsel who participate via Zoom shall participate in appropriate pre-Hearing testing of Zoom as may be required by this Court’s personnel.

PLEASE TAKE FURTHER NOTICE that counsel, parties in interest, or members of the public who wish to hear or observe the Hearing shall make an electronic appearance through the Court’s website, <https://ecf.nysb.uscourts.gov/cgi->

[bin/nysbAppearances.pl](#) on or before 4:00 p.m. (Prevailing Eastern Time) on November 15, 2021. The Court will circulate by email prior to the Hearing the Zoom link to such persons.

PLEASE TAKE FURTHER NOTICE that to avoid multiple appearances at the Hearing, attorneys, parties in interest, and the public, will join with one device only. Parties that are speaking will join by video using the “Join ZoomGovMeeting” link in the Outlook invitation and their computer audio. Parties that are listening and not speaking may join with their cell phone only. If you are connecting by telephone, you must provide the Court with the telephone number that will be used to connect and the first and last names of each person who will connect. The Court will circulate by email prior to the Hearing the Zoom link to such persons who wish to hear or observe the Hearing via Zoom.

PLEASE TAKE FURTHER NOTICE that because of the Court’s security requirements for participating in a Zoom for Government audio and video hearing, all persons seeking to attend the Hearing must connect to the Hearing on or before 9:45 a.m. (Prevailing Eastern Time) on November 16, 2021. When signing into Zoom for Government, participants must type in the first and last name that will be used to identify them at the Hearing. Participants that type in only their first name, a nickname, or initials will not be admitted into the hearing. When seeking to connect for either audio or video participation in a Zoom for Government hearing, you will first enter a “Waiting Room” in the order in which you seek to connect. Court personnel will admit each person to the Hearing from the Waiting Room after confirming the person’s name and relevant information. You may experience a delay in the Waiting Room before you are admitted to the Hearing.

PLEASE TAKE FURTHER NOTICE that in addition to the above, Gen. Ord. M-543, along with other temporary procedures implemented by the Bankruptcy Court in connection with the COVID-19 pandemic (including electronic filing procedures for *pro se* parties) can be found by visiting www.nysb.uscourts.gov (and clicking on the “Coronavirus COVID-19 Protocol” banner.

PLEASE TAKE FURTHER NOTICE that the hearing to consider the Motion may be adjourned from time to time, without further written notice to any party.

Dated: New York, New York
November 2, 2021

Respectfully submitted,

ALBERT TOGUT, not individually but
solely in his capacity as Chapter 7 Interim
Trustee

By His Attorneys,
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By:

/s/ Neil Berger
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